

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

NORTHWEST SHEET METAL
WORKERS ORGANIZATIONAL TRUST,
et al.,

CASE NO. 2:24-mc-00019-LK

ORDER DENYING APPLICATION
FOR WRIT OF GARNISHMENT

Plaintiffs,

V.

CRESCEENT MECHANICAL INC., et al.,

Defendants,

V.

BANK OF AMERICA.

Garnishee-Defendant.

This matter comes before the Court on Plaintiffs' Application for Writ of Garnishment.

Dkt. No. 1. The Court denies the application without prejudice because the application fails to comply with Chapter 6.27 of the Revised Code of Washington. *See Watkins v. Peterson Enters., Inc.*, 973 P.2d 1037, 1043 (Wash. 1999) (“Garnishment is a statutory remedy that requires strict adherence to the procedures expressly authorized by statute.”).

For example, an affidavit in support of an application for a writ of garnishment must state, among other things, the following facts:

[1] the plaintiff has reason to believe, and does believe that the garnishee, stating the garnishee's name and residence or place of business, is indebted to the defendant in amounts exceeding those exempted from garnishment by any state or federal law, or that the garnishee has possession or control of personal property or effects belonging to the defendant which are not exempted from garnishment by any state or federal law; and [2] whether or not the garnishee is the employer of the judgment debtor.

Wash. Rev. Code § 6.27.060(3)–(4). Plaintiffs’ affidavit does not adequately state such facts. *See* Dkt. No. 1 at 2. In addition, the Court notes that a writ of garnishment directed to a bank that maintains branch offices must “identify either a particular branch of the financial institution or the financial institution as the garnishee defendant.” Wash. Rev. Code § 6.27.080(1). There may be other shortcomings in Plaintiffs’ application, but the Court need not examine it further.

Accordingly, the Court denies the application for a writ without prejudice. Plaintiffs may file an amended application within 14 days of the date of this Order. If the Court does not receive an amended application by that date, it will direct the Clerk to close this matter.

Dated this 1st day of April, 2024.

Lauren King
Lauren King
United States District Judge